

1964

CONGRESSIONAL RECORD — HOUSE

139

present parks superintendent, Earl Gaylor, and our commission chairman, Sam L. Good.

Mr. Wirth, or "Connie" as a few fortunate local citizens are privileged to call him, has had a proud, distinguished public career and as he voluntarily retires from the Department of the Interior, he does so with the well-deserved approving applause of millions of grateful people, which we hope will touch his heart and in some way reward him for his lifelong dedication to the parks and people of America. After retirement, in January, we earnestly hope Mr. and Mrs. Wirth will more often visit Wheeling, enjoy our friendship, continue to give us wise counsel as our parks become increasingly valuable each and every year, and rest comfortably in this appreciative community.

[From the Roanoke Times]
A PUBLIC SERVICE WELL DONE

One of this Nation's most important assets is its national park system which comprises some 200 areas, including 31 parks, and covers 26 million acres. Each year the system draws 100 million Americans to enjoy its benefits.

One of the men chiefly responsible for all this is Conrad L. Wirth, who has just retired after 12 years as Director of the National Park Service. Mr. Wirth literally grew up with the Park Service, having been with it in all but the first 15 of its 47 years of existence, and he deserves a great deal of credit for the Service's popularity both in Congress and among Americans generally.

The familiar Mission 66 program designed to greatly strengthen the national park system was conceived by Mr. Wirth, who then diligently worked for its approval and saw it well on its way to fruition when he stepped down. In this section of Virginia, with its great national forests and popular Blue Ridge Parkway, Mr. Wirth is widely known and his work appreciated.

Praise for the Park Service comes from Senator BYRD, who said, in commenting on Wirth's retirement, "I regard the national park system as one of the most worthwhile of all Federal programs." And Senator BYRD paid this tribute to Mr. Wirth in remarks on the Senate floor: "I suspect there is no other single man in the United States who has done so much for the healthful recreation and pleasure of so many people, along with promoting conservation of our natural resources and preservation of our historic areas." In retirement as well as during his more active years, Mr. Wirth has earned the gratitude of millions of Americans.

[From the Conservation News, published by the National Wildlife Federation]

MISSION 66 A TESTIMONY TO VISION OF
"CONNIE" WIRTH

As reported in the November 1, 1963, issue of Conservation News, Conrad L. Wirth, Director of the National Park Service since 1951, is retiring from office in January 1964. Born in 1899, "Connie" Wirth had already logged many accomplishments and many years of park experience when he became Director. He has been a dedicated crusader, putting his whole heart into the preservation of the parks, at the same time maintaining that "parks are for people."

Wirth directed the Civilian Conservation Corps, first the State and county work and then the Department of the Interior's entire CCC program. This, it has been said, advanced the Nation's park program by at least 20 years. In 1936, he initiated the movement which resulted in passage by Congress of the Park, Parkway and Recreational Area Study Act. But the crowning achievement of his career is Mission 66, the dramatic and imaginative National Park System development program which caught the attention of the public and won the support of Congress by the magnitude of its design.

In the 10 years following World War II, a deep concern for the National Parks plagued Conrad Wirth. The parks were deteriorating. They had suffered through the lean war and postwar years. Appropriations had been cut to the bone, all but absolutely essential work had stopped, and staffs had been trimmed to mere skeleton forces. Yet, in the postwar years, droves of visitors flocked to the parks. Their impact hastened the deterioration. Clearly, something had to be done to call attention to the plight of the parks. It was then that Wirth conceived a fresh and objective idea of park development, and he gave it the name of Mission 66, to commemorate in 1966 the 50th anniversary of the National Park Service.

Wirth named a special task force which enunciated the following guidelines: Preservation of park resources is a basic requirement; substantial and appropriate use of the National Park System is the best means of assuring the perpetuation of the System; and adequate and appropriate developments are required for public use and appreciation of any area, and for prevention of overuse.

From this beginning, the goals of Mission 66 evolved as: Better public accommodations and services; campgrounds, roads and other improvements provided by the Government; a more adequate, better-trained staff; effective presentation and interpretation of the historic and natural scene; acquisition of needed park lands; cooperative planning for a national recreation program; and preservation of wilderness and the historic and natural scene.

The parks already accommodate more visitors than the number planned for by 1966. The original goals are now reaching achievement, and will continue under a new long-range plan to provide for constantly growing demands.

Thus, Mission 66 is a vital force that will leave its mark upon the National Park System and Service. This, in turn, will remain an enduring testimony to the vision and devotion of Conrad L. Wirth.

BRITISH BUS DEAL WITH COMMUNIST CUBA PROVES "BUST" OF ADMINISTRATION'S ANTI-CASTRO TRADE POLICIES

(Mr. CRAMER (at the request of Mr. BEERMANN) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. CRAMER. Mr. Speaker, the British bus deal with the Cuban Communist Government proves what a complete "bust" the administration's efforts to isolate, through trade restrictions, Castro's island fortress have been.

Our lack of real determination to provide needed leadership to accomplish trade restrictions is best evidenced by the administration's failure to protest this deal. This deal could be accomplished only with the British Government's acquiescence. The opening of an office in Havana by the British firm, Leyland Motor, Ltd., specifically required approval by Castro and the British.

Such a sale, with an operating office in Havana, amounts to tacit recognition of the Castro government by Great Britain and leads to the logical question, "Is this the first step toward normalizing trade relations with Cuba, toward eventual recognition?"

This is an example of the natural aftermath of the administration's push for trade of wheat with Russia on credit because Great Britain can logically ask,

"what is wrong with our trading buses with the Communists when the U.S. Government is trading wheat on credit with the Communists?"

It is obvious that the wheat on credit deal has undercut the strength of our moral position calling for trade restrictions against Communist Cuba in the eyes of the world. We are reaping the harvest of this clandestine compromise already.

The press report covering this bus deal, from the Washington Post of Wednesday, January 8, follows:

CASTRO MAKES BIG BUS DEAL IN BRITAIN

MIAMI, January 7.—The Fidel Castro government announced today a \$10 million deal with a British firm in an effort to rehabilitate Cuba's broken-down bus system.

Havana Radio said the agreement calls for early delivery by Leyland Motor, Ltd., of 400 buses with 45-passenger capacity each and \$1.1 million in spare parts.

The broadcast, monitored here, said the British firm announced it will establish an office in Havana with commercial and technical personnel.

In Washington, officials said the administration has told Britain it is unhappy with the sale but has filed no formal protest. They said the administration was aware of negotiations between the British firm and Cubans, and had been in touch with the British Government on this and other sales to Cuba for a long time.

ARE TAXPAYERS FINANCING WHEAT SHIPMENTS TO RUSSIA?

(Mr. FINDLEY (at the request of Mr. BEERMANN) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. FINDLEY. Mr. Speaker, to what extent are the U.S. taxpayers financing bargain rate shipments of wheat to Russia? The strange secretly concluded deal with Continental Grain Co. for shipment of Durum wheat to Russia, just announced last week, leave many questions unanswered.

Today I sent this telegram to President Johnson:

On Monday I requested that you suspend the export license to Continental Grain Co. for shipment of durum wheat to Russia until questionable legal aspects are clarified. My request is even more urgent and pertinent in light of conflicting statements yesterday by two members of your Cabinet.

The American people are deeply concerned about this strange new policy of using U.S. tax dollars to finance trade with the Communists and are entitled to know which Cabinet officer has the facts straight.

Agriculture Secretary Freeman stated yesterday to the House wheat subcommittee that the 72-cent subsidy approved for Continental did not include a subsidy for shipping. Mr. Freeman described my questioning on this point as spurious.

The same day Commerce Secretary Hodges told a press conference it was his understanding that the shipping subsidy was included and was the reason why Continental got the abnormally high subsidy. As the officer responsible for issuing export licenses to Communist countries, Secretary Hodges certainly should know what he is talking about.

If the shipping subsidy was included, what is the legal authority for this?

If no shipping subsidy was included, what authority and justification can be given for granting preferential treatment to a Com-

munist country? This is especially distressing in view of Secretary Freeman's admission to the wheat subcommittee that he had denied preferential treatment to at least one free-world customer a few days before he granted the bargain to Russia.

The best price friendly countries have received recently was 59 cents on December 19.

In his testimony Secretary Freeman also admitted the bargain to Continental was not on a competitive bid basis, and indeed, so far as he knew, was the only bid for durum wheat that day. What is the authority for granting preferential treatment to Continental?

I respectfully repeat my request that the export license be suspended until questionable legal aspects are clarified and until conflicts in statements by your two Cabinet officers are resolved.

PAUL FINDLEY,
Member of Congress.

I challenged the legality of the transaction in a letter Monday to the Comptroller General, Joseph Campbell. The text of my letter follows:

DEAR MR. CAMPBELL: I would appreciate a report at the earliest possible date on questionable legal aspects of the export transaction announced Friday by the Department of Agriculture, involving the sale of about 13 million bushels of Durum wheat to Continental Grain Co. for resale to Russia.

1. It appears to me that the Department of Agriculture exceeded its authority in granting an abnormally high export subsidy in this transaction. The rate paid was 72½ cents a bushel, 14½ cents a bushel higher than that granted for recent exports of the same wheat variety.

In fact, the Wall Street Journal today reports as follows: "Underlining the abnormally big subsidy on the Durum destined for Russia is the fact that on December 30 the Department refused to pay a 59-cent subsidy on 110,000 bushels, and on Friday refused to pay 73 cents on 37,333 bushels. These smaller export deals were for Durum to be exported to free world destinations."

Most news reports explain the abnormal export subsidy as an indirect subsidy to cover part of the cost of ocean shipping.

The Associated Press on January 5, reporting the Continental Grain transaction said, "One Department official questioned about the possibility that the Durum subsidy included both an export and a transportation subsidy denied flatly that there was a transportation subsidy. But another said the Department does not contend that no indirect transportation subsidy is involved."

These questions arise:

Does the Department of Agriculture have the legal authority to grant preferential treatment in establishing export subsidy rates on durum wheat? It is quite clear that Continental Grain Co. was singled out for this special rate. This preferential rate was not announced publicly to the trade in advance, and since the announcement of the Continental transaction, the preferential rate has been withdrawn.

Did the Department of Agriculture seek competitive bids before granting the abnormal subsidy? If not, why not? Does the Department of Agriculture have the authority to grant subsidies on commercial shipping beyond U.S. ports?

If so, does the Department of Agriculture have authority to include an indirect transportation subsidy in establishing an export subsidy rate? It is my understanding that the authority for establishing export subsidies cannot include the cost of transportation beyond U.S. ports.

If the hidden freight subsidy is construed to be legal, is the Government guaranteed a refund if the freight subsidy is not needed in its entirety?

2. It appears that the Department of Commerce violated its own published regulations in issuing the export license for this transaction.

I call your attention to Export Bulletin 883 of the Commerce Department, issued November 13, 1963, which requires each export license application must be accompanied by form FC 842. This form must list the quantity, value of commodities involved, and numerous other details. Was it properly filled out in advance of the issuance of the license to Continental? From what I have learned, it appears impossible that this requirement could have been met.

This question arises:

Did the Commerce Department have the legal authority to waive regulations in issuing the export license to Continental?

Prompt attention to this request is in the public interest, as this bizarre transaction, if not challenged, may be cited as the precedent for future deals.

Sincerely yours,

PAUL FINDLEY.

Text of my telegram on Monday to the President:

Respectfully urge that you suspend the export license to Continental Grain Co., which Friday received an abnormally high export subsidy for shipment of durum wheat to Russia, until questionable legal aspects of the deal are clarified by the Comptroller General.

PAUL FINDLEY,
Member of Congress.

THE OTTO OTEPKA CASE UP TO DATE

(Mr. HOSMER (at the request of Mr. BEERMANN) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. HOSMER. Mr. Speaker, on December 30, last, the respected American Security Council issued a paper prepared by its Washington bureau chief, Frank J. Johnson, bringing up to date the facts on the Otto Otepka case. Because of its important relevance to the national security, I have asked the paper be here reproduced in full as follows:

THE CASE OF OTTO OTEPKA

On September 23, 1963, a long-smoldering issue broke into public view when the State Department served notice on the Chief of the Evaluation Division of the Office of Security, Otto Otepka that is proposed to fire him for actions unbecoming to an officer of the Department of State. On November 5, 1963, Otepka's answer to the charges was disregarded and the action was carried out subject to appeal and review by Secretary Rusk.

The reasons given for firing Otepka are based mainly on charges that he cooperated with the Senate Internal Security Subcommittee (SISS) in the course of its still continuing investigation into State Department security procedures. The real reason, however, apparently lies in Otepka's obstinate and conscientious effort to do his job too well. In trying to keep persons of questionable character or affiliation out of sensitive Government positions, he made a nuisance of himself in the eyes of his superiors. In placing loyalty to country, as he saw it, above institutional loyalty to the State Department, he violated the latter's code. In the eyes of State Department officials, he is out of step with the times.

Mr. Otepka is a professional security officer and a good one. He came to the State Department in 1953 as a personnel security evaluator under the late Scott McLeod. In

1960 his State Department efficiency report noted his long experience with and extremely broad knowledge of laws, regulations, rules, criteria, and procedures in the field of personnel security. He is knowledgeable of communism and its subversive efforts in the United States. To this he adds perspective, balance and good judgment. This was the last efficiency report he received. His knowledge for correct procedures and insistence that they be carried out was to lead to his undoing.

On January 20, 1962, Otepka was downgraded from Deputy Director of the Office of Security to Chief of the Evaluation Division. This Division has authority to clear persons who do not, in the judgment of its Chief, warrant an adverse ruling. Where there is derogatory information, the case is required to proceed through higher channels; any higher official may overrule the Evaluation Division and grant a clearance, but only the Deputy Under Secretary for Administration may concur and suspend the individual. After hearings are held only the Secretary of State may actually separate the man.

This procedure has particular application to Otepka, because it concerns a security case in which he was importantly involved—that of William Arthur Wieland. In part, this case is responsible for Otepka's troubles.

These difficulties really began in 1959 when the new Director of the Office of Security, William Boswell, a Foreign Service officer who was not a security expert, announced that he was going to eliminate the "McLeod image." Scott McLeod had been the first Administrator of the Bureau of Security and Consular Affairs until 1957. McLeod's strict procedures succeeded in eliminating many security risks from the State Department, though apparently at some cost to the "morale" of a number of Foreign Service officers. Boswell proposed to place Foreign Service officers in a position to check on other Foreign Service officers—an arrangement to which Otepka objected in principle.

Otepka personally worked on two major personnel security cases—John Stewart Service and William Wieland. Service had been separated from the State Department in 1950 for turning over documents to Philip Jaffe, publisher of Amerasia magazine (a definitely pro-Communist publication). He was ordered reinstated by the Supreme Court in 1956. In readjudicating his case, Otepka found that he was not a loyalty risk, but raised questions as to his judgment and conduct. Service was subsequently cleared on all counts and sent as consul general to Liverpool. He retired in 1961. Wieland was a State Department desk officer who had a hand in shaping U.S. policy toward Cuba, both before and after Castro's takeover. To his superiors, he was an apologist for Castro, although he told friends privately as early as 1958 that Castro "is a Communist." A full security check was done on Wieland in response to an allegation that he, himself, was a Communist. Otepka's conclusions did not support this charge, but did raise questions as to Wieland's integrity, based in part on falsehoods in his testimony before the Senate Internal Security Subcommittee. Nevertheless, Wieland was "cleared" by Roger Jones, Deputy Under Secretary for Administration. He did so in September 1961 on the basis of only the "digest" of the Wieland findings, without first obtaining the recommendation of the intervening head of the Bureau of Security and Consular Affairs, and without notifying the Office of Security of his decision. Not until January 25, 1962—1 day after the Wieland case was raised at a Presidential news conference, was Otepka notified in writing by Boswell that Jones had, in fact, closed out the Wieland case. Otepka objected to these irregular procedures. In the Service case the procedure in clearing him had at least been correct; not so in the case of Wieland.

1964

Another of Otepka's assignments, beginning in October 1960, was to integrate new information into the security files of high-ranking Presidential appointees. In some cases there he discovered that there was derogatory information on these individuals, including affiliation with Communist front organizations.

This was the general situation when Otto Otepka initially testified before the Senate Internal Security Subcommittee—at its request—on November 16, 1961, regarding personnel reductions in the Office of Security. He and his immediate superior, Boswell, did not see eye to eye on how best to run the Office of Security; Otepka disagreed with the final decisions made to clear both service and Wieland and had pointed out irregularities in the procedures followed with Wieland; the position which he held, that of Deputy Director of Security, was about to be abolished and he, himself, downgraded, in part because it was alleged that his work on the Wieland case and his continuing work on the Presidential appointees was interfering with his administrative responsibilities as Deputy Director—an allegation which he denies. In his testimony, Otepka steadfastly honored his commitment not to reveal confidential information, but otherwise he related facts and expressed his opinions to the SISS honestly and frankly. This testimony was a further irritant to his superiors.

Early in 1962 Otepka first became aware that Secretary of State Rusk had granted 152 security waivers to high-ranking State Department personnel on the basis of nothing more than national agency checks, pending a more complete background investigation. This had been done only five times during the previous administration. While this procedure may sometimes be defensible on the grounds that a new man's services are urgently needed, there were some of the 152 cases where the agency checks disclosed derogatory information, including possible Communist affiliation. Furthermore, Otepka learned, and brought to the attention of his superiors, the fact that some persons had been appointed to State Department jobs, without any notification whatsoever to the Office of Security. He also discovered examples of backdating security waivers and clearances. On March 8, 1962, both Boswell and Jones denied to the SISS any knowledge of this procedure, but as a result of a memorandum to that effect from Otepka, Jones was first forced to report to the subcommittee on March 20, that an investigation was underway and then to report on April 30 that there had been 152 waivers and a total of 44 cases of backdating waivers and clearances.

The point at issue, in all this, was that the Department of State was allowing unauthorized personnel, not provably safe, to handle classified material and was then seeking to "cover up" for this laxity by backdating the clearances and even the waivers. Otepka's crime lay in telling about these irregular procedures and in so doing, causing embarrassment to Boswell and Jones. Otepka's testimony on April 12, 1962, brought the facts to the surface and caused Roger Jones, on June 7, to state to the subcommittee that while he did not challenge anything Otepka said, "I don't think it—the testimony—was appropriate." Otto Otepka had by now become a major annoyance to the Department of State.

An effort was made about this time to rid the Security Office of the troublesome Otepka by assigning him to instruction at the National War College. Ordinarily, this is a very desirable assignment, and Otepka at

first accepted it. He changed his mind, however, when he realized that the motivation in sending him to the War College was to get rid of him. In April 1962, John Reilly, a Justice Department attorney succeeded Boswell as Director of the Security Office, allegedly with instruction to "do a job on the Security Office and get Otepka."

Reilly stated to Otepka that he would have no reemployment rights in the Security Office after finishing at the War College, whereupon Otepka declined the appointment. Jones testified on June 7 that the War College assignment for Otepka was decided upon in connection with the question of what we could do to get him out from under stress.

Events took their course. On September 10, 1962, Otepka submitted a memorandum to Reilly recommending that certain appointees to the Advisory Committee on International Organizations not be cleared on a blanket basis without further investigation because there was derogatory information about some of them. The recommendation was overruled. About the same time, new derogatory information came to light on the Wieland case, causing it to be reopened. Early in 1963, Reilly asked Otepka to voluntarily disqualify himself from further interest in the case because of his strong feelings. Otepka refused, although he did state to Reilly that he did not wish to get too fully involved lest it take him off of his other duties.

At some point, Reilly came to suspect that Otepka might be cooperating privately with the SISS counsel, J. G. Sourwine, in the latter's efforts to get to the bottom of the situation. Both Reilly and Otepka testified in February, 1963 and it was after that, on March 13, that Reilly directed a surreptitious inspection of the contents of Otepka's "burn bag" (wastebasket for classified information). On March 19 the burn bag search was successful, because a carbon paper was discovered containing a list of questions which Otepka prepared for Sourwine, who later asked them of Reilly. In addition, a typewriter ribbon was discovered on June 10 containing additional proposed questions which Otepka furnished to Sourwine.

Otepka admits the validity of this evidence, which is the basis of one of the charges against him. He also acknowledges a second charge—that he turned over certain documents to Sourwine. This came about in the following way:

In February and March 1963, Otepka testified four times before the Internal Security Subcommittee in executive (closed) session, in all cases at the request of the subcommittee. During April and May Reilly testified five times, after having been furnished a transcript of Otepka's testimony. The testimony of the two put them in sharp conflict with each other concerning certain facts, (Otepka's questions for Sourwine probably helped to bring out this conflict.) Sourwine pointed this out to Otepka on May 23, 1963 and showed him the transcript of Reilly's testimony. One important discrepancy related to Otepka's September 10, 1962 memorandum to Reilly. Despite the memorandum, Reilly testified that there was no substantial derogatory information on any of the eight appointees and that the case of only one of them had even been brought to his attention prior to their appointment. Other Reilly testimony disparaged Otepka's integrity and emotional balance.

Otepka had long felt that both his professional competence and character were under attack. He felt morally and legally entitled to defend himself now that his accuser

was on record with untruthful testimony. Therefore, he drew up a 39-page memorandum answering the Reilly statements and accompanying it with certain documents which supported his own position. Among these documents was a copy of his September 10, 1962 memorandum to Reilly, which he himself had classified "confidential," and a copy of a Reilly memorandum dated September 17, 1962 which indicated that he (Reilly) was familiar with Otepka's memorandum. The documents disproved Reilly's assertion that Otepka had never presented the derogatory information to him.

Otepka's superiors said nothing to him about the first burn bag discovery, but after the second one on June 10, they evidently decided that he could no longer be tolerated and must be eliminated in the near future. The furnishing of questions to Mr. Sourwine did not in itself violate any written regulation. For the purpose of making a legal case against him, it was necessary to charge him with the technical crime of "declassification" and "mutilation" of classified documents without following the prescribed procedure. The "evidence," all allegedly discovered in his burn bag on June 18, consisted of xeroxed copies of the tops and bottoms of classified documents. The clippings contained the classification indicators of the documents. This is the third general charge against Otepka.

Otepka denies emphatically that he had anything to do with the clippings. He is not even specifically charged with doing the clipping—only that they were found in his burn bag. No charge is made that the declassified documents were subsequently turned over to the SISS, although that is the unofficial implication. Unless such a charge is formally made the simple technical violation is meaningless. Every intelligence analyst in Washington violates the same "rule" everytime he tears up a classified document and throws it in his burn bag. It is done by everyone. Otherwise, files would soon overflow.

Again, however, the point is simply that Otepka's superiors found it necessary, apparently, to "plant" evidence of this sort in his burn bag in order to build a legal case against him. (This is almost certainly the case if Otepka's denial is true.) Even after June 18 (the last day of the burn bag surveillance), nothing was said to him. Instead, on June 27, without warning, he was locked out of his office, denied access to files and placed in isolation. He was given the job of writing a new handbook on security matters but was provided no materials to work with and no secretary. There was no explanation whatever—only a lecture from Reilly on "institutional loyalty" to the State Department. Otepka's answer was that he placed loyalty to country first.

The State Department hoped, apparently, that this procedure might cause Otepka to quit in disgust, thus avoiding the necessity of bringing the charges against him which it was preparing. But on August 12, 1963, Otepka again testified in executive session and this time the State Department liaison officer was asked to leave the room. Otepka now had less reason to worry about the sensitivities of those who were tormenting him.

Three days later, on August 15, Otepka was subjected to an FBI interrogation, during which he voluntarily and openly recounted all his actions, including the fact that he turned over to Sourwine the two documents which proved Reilly's testimony to be incorrect as well as another unclassified document relating to personnel clearance procedures. Such a voluntary admission to the FBI concerning these documents

strengthens the veracity of Otepka's denial of any knowledge of the burn bag clippings and supports the suggestion that they were plants.

The FBI interrogation thus provided this additional basis for the charges against Otepka, and his testimony to the SISS of August 12 (State is still in ignorance of what he said that day) provided the final impetus to fire him, which has now occurred. On August 15 an order was issued prohibiting members of the Security and Passport Offices from contacting or testifying before the SISS without express permission. Despite indications from Secretary Rusk on October 22 that this ban would be relaxed, it remains officially in force.

On November 9, a new wrinkle in the Otepka case occurred when the SISS revealed that Reilly and two other State Department officials had written letters to the subcommittee clarifying their testimony of July and August in which all three had categorically denied that any order had been given or attempt made to install listening devices in Otepka's office. The letters followed a charge by Senator Donn in the Senate on November 5 that "although a State Department official has denied under oath that this was done, the Subcommittee on Internal Security has proof that the tap was installed." Now Reilly admitted, in his clarification that on March 18, 1963, he had directed Mr. Elmer Hill, Chief of the Division of Technical Services, "to undertake a survey of the feasibility of intercepting conversations in Mr. Otepka's office." According to Hill's letter, that evening he "altered the existing wiring in the telephone in Mr. Otepka's office." Both men claimed that the attempt to overhear conversations was dropped after the first burn bag discovery on March 19, but the contrast with their flat denials under oath that any such attempt had been made caused the State Department to put both men on "administrative leave" pending an investigation. On November 18, 1963, they both resigned and Hill, in a further clarification, admitted to the Senate committee that the tap on Otepka's phone had, in fact, been successful and conversations had been recorded. Under these circumstances, the credibility of the State Department's witness has become open to serious doubt.

Thus we have the Otepka case as it now stands. It seems likely to become a "cause celebre" in American politics. Otepka was not, apparently, a popular man; he rubbed many people the wrong way. The charges that he cooperated with the SISS counsel in preparing some of his questions and that he turned over at least three documents to him are true by his own admission. There can be no question, however, of the legality of his action, because the right of a Government employee to furnish information to congressional committees is established by statute. The United States Code, title 5, paragraph 652(d) reads: "(d) The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress or to any committee or member thereof, shall not be denied or interfered with."

A Presidential directive of March 13, 1948, under which Otepka is charged, does not prohibit disclosure of information absolutely, but proscribes the disclosure of documents "relative to the loyalty of employees or prospective employees" except under a special procedure for determining whether it is in the public interest to do so—a determination to be made only by the President. But any such procedure was foreclosed to Otepka, politics being politics.

The points immediately at issue therefore, are whether, considering all the circumstances, it was ethically proper for Otepka

to give the documents to the SISS counsel and whether it is proper for the State Department to fire him for having done so.

In judging this question it should be noted that Otepka never at any time stated anything but the truth, nor is he anywhere charged with prevarication. His actions were so justifiable, in his own eyes, that he prepared his questions for Sourwine in his office, giving them to his secretary to type. He testified in every instance at the request of the Senate Internal Security Subcommittee. He provided the SISS with information only because it was pointed out to him that his testimony was at variance with that of his superiors and that they were attacking his competence and integrity. The information which he provided supports his own statements and casts serious doubt on the truthfulness of some of those who now accuse him. At least two instances of untruthfulness on their part have now been admitted. This casts doubt on the character of some of the men who have been responsible for State Department security. It is surely proper to ask who is, in fact, guilty of conduct "unbecoming an officer of the Department of State"—he who told the truth or those who told something less than the truth.

The more important question, which the Otepka case symbolizes, is whether or not the procedures which Otepka criticized, and which led him to be impaled on the horns of the dilemma, do allow genuine security risks to occupy sensitive State Department positions. The Department argues in the negative.

"We are not witch hunting any more," a spokesman says, adding that "we have no security risks, and he knows it." Otepka replies only that he does not know of any Communists in the State Department. There are other kinds of security risks and the laxity exposed by Otepka leaves little reason for confidence in the Department's handling of its own security matters.

Perhaps Otepka is guilty of overzealousness in the performance of his duty. But if so, the American people are well served by such a man who at least places loyalty to duty and country above office politics.

Let us wish Otto Otepka well.

NEW YEAR'S SPEECH BY THE PRESIDENT OF THE REPUBLIC OF POLAND

(Mr. DERWINSKI (at the request of Mr. BEERMANN) was granted permission to extend his remarks at this point in the Record, and to include extraneous matter.)

Mr. DERWINSKI. Mr. Speaker, as we continue the legislative schedule of the day following the state of the Union message by the President earlier this afternoon, I believe it to be most appropriate for me to direct the attention of the Members of the House to the New Year's speech by the President of the Republic of Poland.

His Excellency August Zaleski, President of the Republic of Poland, addressed members of the Polish Government in exile and representatives of Polish organizations and of the Polish community in Great Britain on January 5, 1964:

NEW YEAR'S SPEECH BY THE PRESIDENT OF THE REPUBLIC OF POLAND (LONDON, JANUARY 5, 1964)

Looking back as usual at the past year and the world situation, we are struck by the fact that new people have taken up the reins of office in many of the Western countries. We see this in the United States, Great Britain, Italy, and in West Germany. The

change in the United States was caused by a crime which shook the whole world.

On the other hand, there were no changes of this kind in the East, where power remains in the hands of the same Communist autocrats as before.

Likewise, Poland is still governed by the same people obediently carrying out the orders of their Russian masters. The free expression of thought is still stifled there, and religion is still persecuted. The freedom of the monasteries is restricted ever more greatly, the building of new churches and religious instruction are hampered whilst all the chicanery of a system of excessively high taxation is constantly applied. In the campaign against the church, methods are often used which make the Communist regime simply ridiculous in the eyes of the civilized world. Celebrating the millenary of Poland's conversion to Christianity, the International Union of Catholic Women published a collection of sermons, speeches, and writings by the Cardinal Primate of Poland. Sixty thousand copies of this publication were sent to Poland as a gift. Although the collection comprised texts already known in Poland, the Communist authorities seized the whole edition and sent it to the Jeziora papermills for pulping.

In the economic field, Poland is suffering the same shortcomings as the whole Soviet Empire. When, after nearly 50 years of Communist rule in Russia, the lords of the Kremlin made the "epochmaking discovery" that agricultural production can be increased by using artificial fertilizers, the chief of the Warsaw regime hastily observed the same and promised to increase "the level of mineral fertilizers" during the next few years. Not unexpectedly, he announced this will be done gradually and by dint of economies in expenditure on the extension of "social, cultural, and sporting life" as also on "the building of dwelling accommodation." There can be no talk of decreasing outlays on the heavy industries, so necessary to Russia. The Communist Economic Community, Comecon, remains under the orders of the Russian authorities and would in fact never agree to this. In short, the interests of the Polish consumer will again be sacrificed to build up the power of the Russian Empire.

Nonetheless, funds will be found to strengthen the censorship, for things have come to such a pass that some writers go so far as to publish press articles in which they demand that the population be provided with such luxuries as bread, meat—even coffee and tea. These lacks are, of course, most sedulously concealed from Western tourists, who are specially catered for.

If it comes to that, we can frankly state that many people in the West have no wish to perceive the real state of affairs not only in east-central Europe but also in the whole Soviet Empire. One has the impression that these people wish to be deceived so that they could quietly enjoy the prosperity current in the Western world. There are some who imagine it will be possible to establish an alliance with Russia to face the common menace of China; they forget that the Russo-Chinese differences of opinion do not extend to the main goal of the Communists—to revolutionize all mankind—but merely concern the means by which communism is to be imposed upon the whole world.

There are even some people in America, who assert that the Soviet police-state system maintains order and a regulated life amongst 200 million Russians and the many additional millions of population in the so-called satellite countries; that the disintegration of the Russian Communist empire, while contributing to an extension of freedom, would nevertheless be a catastrophe for the set order of the world even greater than was disappearance of the Austro-Hungarian monarchy from the map of Europe.